

AMENDMENTS TO THE DRAWINGS

Figures 16-18C and amended by the addition of a prior art label.

Attachment: Replacement Sheet(s)

REMARKS/ARGUMENTS

In response to the Office Action mailed November 15, 2006, Applicant amends his application and requests reconsideration. Non-elected claims 7-20 are cancelled as is examined claim 5. New claim 21 is added. Accordingly, claims 1-4, 6, and 21 are now pending.

The Examiner requested a more descriptive title and a new title is supplied.

In response to the objection to the specification, appropriate amendments are made.

The Examiner required the addition of "prior art" labels to Figures 16-18C and replacement drawings are supplied. Approval is respectfully requested.

In this Amendment claims 1 and 5 as presented for examination are combined as amended claim 1 with further clarifications. Amended claim 1 is fully supported by the disclosure of the patent application as filed, particularly with respect to Figures 1-6. In the photomask according to claim 1, central and peripheral portions of the photomask include, on the transparent substrate, respective line patterns. An open portion separates the line patterns of the peripheral pattern portion from the central pattern portion. In addition, claim 1 specifies that the respective line patterns all include linear portions of the light-shielding material. Moreover, all of the linear portions of the line patterns are parallel to each other.

Claims 3 and 4 are amended to be more specific and consistent with the disclosure of the patent application as filed. The lengths of the linear portions of the line pattern 10 in the central pattern portion are described as being at least 10 μm according to the patent application at page 10, lines 2 and 3. Likewise, it is apparent by inspecting at least Figure 1 that the presence of nine such linear portions is in the central pattern portion of the photomask. Accordingly, the amendments to claims 3 and 4 are clearly supported by the application as filed.

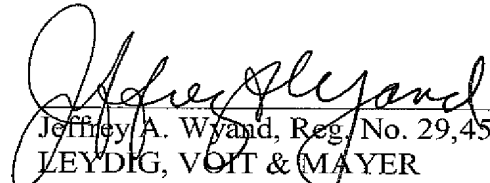
Examined claims 1-3 were rejected as anticipated by each of Shiraishi et al. (U.S. Patent 5,966,201, hereinafter Shiraishi), Adel et al. (U.S. Patent 6,921,916, hereinafter Adel), and Bowes (U.S. Patent 6,778,275). None of these rejections for anticipation is applicable to claims 1-4 and 6 presented here in view of the amendments in which the limitations of examined claim 5 are incorporated into claim 1.

Examined claims 1-6 were rejected as unpatentable over Shiraishi or Adel in view of Bowes. With respect, in spite of careful study of the commentary accompanying this rejection, the rejection is not understood. Moreover, the rejections cannot properly be maintained with respect to any of claims 1-4 and 6 as pending upon entry of the foregoing amendment. None of the three applied publications describes a photomask, for the purpose of measuring flare, or for any other purpose, in which the photomask includes three separate portions, the central pattern portion, an open portion, and a peripheral pattern portion, arranged as described in those claims, and consisting of linear portions of the light-shielding material, all of which are parallel to each other. Therefore, it is impossible to establish *prima facie* obviousness with respect to amended claim 1, and any of its dependent claims 2-4 and 6 based upon any potential combination of the three publications.

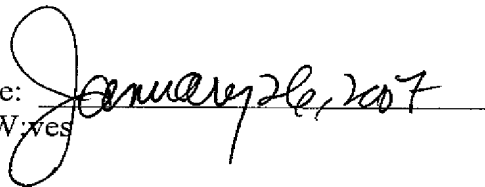
New claim 21 is supported by the description in the patent application regarding flare measurement methods from page 13, line 28 through page 17, line 19. The described methods use the pair of photomasks that is the subject of claim 21.

Reconsideration and withdrawal of the rejections and allowance of all pending claims are earnestly solicited.

Respectfully submitted,


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